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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,794	02/24/2004	Toru Shibusawa	042229	2195
38834 7590 06/27/2008 WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP 1250 CONNECTICUT AVENUE, NW SUITE 700 WASHINGTON, DC 20036				
EXAMINER				
HSIA, SHERRIE Y				
ART UNIT		PAPER NUMBER		
2622				
MAIL DATE		DELIVERY MODE		
06/27/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/784,794

Applicant(s)

SHIBUSAWA, TORU

Examiner

Sherrie Hsia

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18-27 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 1-12 is/are allowed.
6) ☒ Claim(s) 13-16, 18, 19, 21-24, 26 and 27 is/are rejected.
7) ☒ Claim(s) 20 and 25 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 24 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “printout out received setting information by a printer of the communication device” claimed claim 22 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. Claims 14-16, 18, 19, 21-24, 26 and 27 rejected under 35 U.S.C. 102(b) as being anticipated by Hailey (5546193).

As to claims 14 and 15, Hailey discloses the claimed subject matter, the claimed means for storing in a rewritable nonvolatile memory is met by the EEPROM 117 (Fig. 1, column 3 lines 63-67) and the claimed means for setting a channel is inherently disclosed by Hailey (controller 110, Fig. 1, column 5 lines 10-13, column 6 line 37-67).

As to claim 16, Hailey discloses the claimed subject matter, the claimed information recorded medium is met by the VCR (column 1 lines 22-56), the claimed channel setting information is recorded in a readable state is met by column 1 lines 45-48 and the claimed channel setting information is recorded using paper as a base is met by column 1 lines 47-48.

As to claims 18 and 19, the claimed limitations are inherently disclosed by Hailey (column 1 lines 45-56).

As to claim 21, the claimed limitation is inherently disclosed by Hailey (column 1 lines 22-56).

As to claim 22, Hailey discloses the claimed subject matter, the claimed transmitting channel setting information is met by the remote control 125 (Fig. 1), the claimed receiving transmitted channel setting information is met by the IR receiver 122 (Fig. 1), printout out relieved channel setting information by a printer is met by column 1 lines 45-48, the claimed reading printed channel setting information by a reader is met by the bar-code reader (column 1 lines 45-46) and the claimed storing is inherent met by column 1 lines 22-56.

As to claims 23 and 24, the claimed limitations are inherently disclosed by Hailey (column 1 lines 45-56).

As to claim 26, the claimed limitation is disclosed by Hailey (column 1 lines 22-56).

As to claim 27, Hailey discloses the claimed subject matter, the claimed information recorded medium is met by the VCR (column 1 lines 22-56), the claimed channel setting information is recorded in a readable state is met by column 1 lines 45-48 and the claimed reader is met by the bar-code reader (column 1 lines 45-48).

4. Claims 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuyama (7239359).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As to claim 13, Matsuyama discloses the claimed subject matter, the claimed means for storing in a rewritable nonvolatile memory is met by the EEPROM 14 (Fig. 1, column 3 lines 29-33), the claimed means for judging a channel is met by the CPU 13 (Figs. 1, 2A, 3, column 3 line 20-column 4 line 41) and the claimed remote control signal for channel selection is a preset code from the remote controller and the channel setting information transmitted from the remote

controller is information corresponding to the preset code and the channel to be selected is judged based on a correspondence between the preset code and the channel setting information is disclosed by Matsuyama (Figs. 1, 2A, 3, column 3 lines 20-column 4 line 41).

As to claim 14 and 15, Matsuyama discloses the claimed subject matter, the claimed means for storing in a rewritable nonvolatile memory is met by the EEPROM 14 (Fig. 1, column 3 lines 29-33) and the claimed means for setting a channel is the CPU 13 (Figs. 1, 2A, 3, column 3 line 20-column 4 line 41).

Allowable Subject Matter

5. Claims 1-12 are allowable over prior art.
6. Claims 20 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 13-16, 18, 19, 21-24, 26 and 27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherrie Hsia whose telephone number is (571) 272-7347.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571) 272-7564.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office whose telephone number is (571) 272-1000.

/Sherrie Hsia/
Primary Examiner
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SH

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June 23, 2008